

7487. Adulteration of peanuts. U. S. v. 148 Bags of Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14195. Sample No. 89743-F.)

LIBEL FILED: November 4, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about January 27, 1944, by the Farmers Cotton and Peanut Co., from Plymouth, N. C.

PRODUCT: 148 100-pound bags of peanuts at St. Louis, Mo.

LABEL, IN PART: "Select Hand Picked Jumbo Peanuts."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect-infested peanuts, and a decomposed substance by reason of the presence of moldy and decomposed peanuts.

DISPOSITION: On or about December 27, 1944. The Christopher Confectionery, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

7488. Adulteration of peanut butter. U. S. v. 1 Drum of Peanut Butter. Consent decree of condemnation and destruction. (F. D. C. No. 12816. Sample No. 79461-F.)

LIBEL FILED: June 27, 1944, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about May 25, 1944, by the Old Dominion Peanut Corporation from Norfolk, Va.

PRODUCT: 1 drum containing 504 pounds of peanut butter at Bluefield, W. Va.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent pellet fragments and insect fragments.

DISPOSITION: July 6, 1944. The owner of the product having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

7489. Adulteration and misbranding of peanut butter. U. S. v. 48 Cases and 86 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 13227. Sample Nos. 69337-F, 69338-F.)

LIBEL FILED: On or about August 21, 1944, District of Montana.

ALLEGED SHIPMENT: On or about January 1, 1944, by the Rainer Packing Co., from Montgomery, Ala.

PRODUCT: 48 cases, each containing 24 jars, and 86 cases, each containing 12 jars, of peanut butter at Billings, Mont.

LABEL, IN PART: "Net Contents 1 Lb. [or "2 Lbs.]" Brownie Peanut Butter."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of dirt.

Misbranding (48 cases), Section 403 (a), the statement "Net Contents 1 Lb." was false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), the product was in package form and it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: September 18, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7490. Adulteration and misbranding of peanut butter. U. S. v. 15½ Cases of Peanut Butter. Default decree of condemnation. Product ordered delivered to the Food and Drug Administration. (F. D. C. No. 11163. Sample No. 41416-F.)

LIBEL FILED: November 23, 1943, Western District of Louisiana.

ALLEGED SHIPMENT: On or about September 24, 1943, by the Texas Peanut Products Co., Houston, Tex.

PRODUCT: 3½ cases, each containing 12 2-pound jars, 4½ cases, each containing 24 1-pound jars, and 7½ cases, each containing 24 12-ounce jars, of peanut butter at DeRidder, La.

LABEL, IN PART: (Jars) "Rich in the B vitamin Tom Sawyer Peanut Butter Salt Added Net Wt. 2 Pounds [or "1 pound," or "¾ Pound"]."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, and insect fragments.

Misbranding, Section 403 (a), the product was short of the declared weight.

DISPOSITION: December 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Food and Drug Administration.

7491. Misbranding of peanut butter. U. S. v. 299 Cases of Peanut Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 14197. Sample Nos. 72987-F, 83503-F.)

LIBEL FILED: November 8, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about October 5, 1944, by the Pacific Food Products Co., from Seattle, Wash.

PRODUCT: 299 cases, each containing 24 jars, of peanut butter at San Francisco, Calif.

This product was short-weight.

LABEL, IN PART: "Sunny Jim Brand Peanut Butter."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the product was a food in package form, and it failed to bear a label containing an accurate statement of the quantity of contents, since the label statement "Contents 15½ Ozs." was inaccurate.

DISPOSITION: December 15, 1944. American Factors, Limited, having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into conformity with the law, under the supervision of the Food and Drug Administration.

7492. Adulteration of pine nuts. U. S. v. 16 Sacks of Pine Nuts. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 13690. Sample No. 72959-F.)

LIBEL FILED: September 18, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about August 18, 1944, by Freeds Store, from Albuquerque, N. Mex.

PRODUCT: 16 sacks, each containing approximately 80 pounds, of pine nuts at San Francisco, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent and animal excreta pellets.

DISPOSITION: October 7, 1944. The E. M. Hirschfelder Co., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

7493. Adulteration of pine nuts. U. S. v. 48 Bags and 13 Bags of Pine Nuts. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 13690. (F. D. C. Nos. 13039, 13691. Sample Nos. 72960-F, 73236-F.)

LIBELS FILED: July 25 and September 18, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about November 1, 1943, and June 5, 1944, by Gross Kelly and Co., from Gallup, N. Mex.

PRODUCT: 48 75-pound bags, and 13 second-hand bags, each containing approximately 75 pounds, of pine nuts at San Francisco, Calif.

LABEL, IN PART: (Portion, bag) "A. A. Co 240 Drum St Frisco."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of animal excreta pellets.

DISPOSITION: August 7 and October 26, 1944. Albert Asher and the Martin Donig Nut Co., San Francisco, Calif., having appeared as claimants for the respective lots, judgments of condemnation were entered and the product was ordered released under bond to be brought into conformance with the law, under the supervision of the Food and Drug Administration. The nuts were segregated and cleaned, and the rejected portion was destroyed.

7494. Adulteration of shelled walnuts. U. S. v. 5 Cartons of Shelled Walnuts. Default decree ordering product disposed of for animal feed. (F. D. C. No. 13201. Sample No. 60566-F.)

LIBEL FILED: August 8, 1944, District of Utah.

ALLEGED SHIPMENT: On or about July 18, 1944, by the Pacific Coast Nut House, San Jose, Calif.